

## REMARKS

Claims 1-5, 17-20, and 22-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gottesman et al. (US 6,049,782) and Petroutsos (Mastering Visual Basic 5). Applicant respectfully traverses the rejection.

Claim 1 recites “[a] method for pricing financial transactions, said method comprising: creating a plurality of product rules related to said financial transactions, said product rules include a first attribute; creating a plurality of price tables . . . said price tables comprise a second attribute, calculating a plurality of prices based on said second attribute . . .” Thus, Claim 1 is directed to a method of pricing a single financial transaction using an attribute of that transaction. In contrast, Gottesman et al. teach “a relationship management system for pricing a customer’s financial instruments in an integrated financial system of the type in which a single “account” includes a plurality of account components, including at least a checking component, a savings component, and an investment component . . .” See col. 4, line 65 to col. 5, line 3. The system includes “means for determining the pricing of individual components . . .” See col. 4, lines 13-14. Thus, Gottesman et al. teach a method of pricing an account, in contrast to Claim 1 which teaches a method of pricing a transaction.

Further, Gottesman et al. do not teach pricing a transaction based on an attribute as recited in Claim 1; rather, Gottesman et al. teach pricing an account “based on a customer’s total individual relationship to the financial institution.” See col. 5, lines 4-5. Claim 1 teaches pricing a financial transaction by looking at an attribute of the transaction, i.e. by looking at a universe that is smaller than the entity being priced. In contrast, Gottesman et al. teach pricing an account by looking at the customer’s total relationship with a financial institution, i.e. by looking at a universe which is larger than the entity being priced.

Accordingly, Gottesman et al. teaches nothing like the method recited in Claim 1, and in fact

teaches a directly opposite approach to pricing. Petroutsos is simply a manual of computer programming and adds nothing to the deficiencies of Gottesman et al. Accordingly, Claim 1 distinguishes over the combination of Gottesman et al. and Petroutsos. Claim 23 distinguishes over the combination of Gottesman et al. and Petroutsos for the same reasons as those stated above for Claim 1. Claims 2-22 depend from Claim 1 and Claims 24-29 depend from Claim 23. Claims 2-22 and 24-29 are therefore allowable for at least the reasons stated above for Claim 1.

Regarding Claim 2, Gottesman et al. do not teach creating a price table including a “third attribute comprising a billing method” as recited in Claim 2. Rather, Gottesman et al. teach in Claim 19 a step for executing a single type of billing method. Claim 19 of Gottesman et al. states, “the relationship pricing/balance database forwards data to the pricing engine and the pricing engine forwards the appropriate fees and interest rates to the financial institution so it is applied to the customer’s individual accounts.” Neither Claim 19 of Gottesman et al. nor the rest of Gottesman et al. teach a billing method as an attribute, Gottesman et al. simply teach the use of a single billing method as recited in Gottesman et al.’s Claim 19. Accordingly Claim 2 distinguishes over the combination of Gottesman et al. and Petroutsos for this additional reason.

Regarding Claims 3 and 25, Applicant can find no teaching in the cited portions of Gottesman et al. which recites “a first portion [of a product rule] comprising the name of said product rule; a second portion comprising the status of said product rule; a third portion comprising information regarding pricing and billing, . . . and a fourth portion comprising display only information” as recited in Claim 3. The use of product rules as recited in Claim 3 permits a user to define a hierarchy of entities for each attribute, then search through a collection of product rules to see if there is an entry corresponding to a particular entity of the

hierarchy and to use that entry, as described in the specification. No such system is proposed by either Gottesman et al. or Petroutsos. Accordingly, Claims 3 and 25 distinguish over the combination of Gottesman et al. and Petroutsos for this additional reason.

Regarding Claims 4 and 5, Applicant can find no teaching in the cited portions of Gottesman et al. which teaches “said first attribute comprises a price table name” as recited in Claim 4 or “said second attribute comprises a pricing method” as recited in Claim 5. Accordingly Claims 4 and 5 distinguish over the combination of Gottesman et al. and Petroutsos for this additional reason.

Regarding Claims 13 and 15, the Examiner takes OFFICIAL NOTICE that “maximum revenue” pricing as recited in Claim 13 and “bundled pricing” as recited in Claim 15 are well known. Applicant respectfully traverses the Examiner’s assertion that maximum revenue and bundled pricing are well-known, and requests that the Examiner cite a reference in support of his position, as required by MPEP section 2144.03.

Regarding Claim 16, neither Gottesman et al. nor Carter teach “Cross CAA Bundled Tiering” as recited in Claim 16. Though Carter does teach more than one pricing method with the word “customer” in the name, none of these pricing methods are “Cross CAA Bundled Tiering” as recited in Claim 16. Accordingly, Claim 16 distinguishes over the combination of Gottesman et al. and Petroutsos for this additional reason.

Regarding Claim 18 and 28, Applicant can find no teaching in the cited portions of Gottesman et al. which teaches “applying a plurality of validating rules” as recited in Claim 18. Accordingly, Claims 18 and 28 distinguish over the combination of Gottesman et al. and Petroutsos for this additional reason.

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Regarding Claims 19 and 29, Applicant can find no teaching in the cited portions of Gottesman et al. which teaches “a default product rule” as recited in Claims 19 and 29. In fact, Gottesman et al. specifically teach away from using any kind of default pricing, stating “the focus of the present invention is to build a relationship with the customer rather than opening stand alone accounts for the customer.” This relationship is built by considering the whole of a customer’s accounts when pricing, rather than applying a default price to each individual account. See col. 2, lines 7-9. Accordingly, Claims 19 and 29 distinguishes over the combination of Gottesman et al. and Petroutsos for these additional reasons.

Regarding Claim 22, the Examiner states “OFFICIAL NOTICE is taken that it would have been obvious for pricing tables to have contained negative values . . .” According to MPEP section 2144.03, “the Examiner may take official notice of facts outside of the record which are capable of instant and unquestionable demonstration as being ‘well-known’ in the art.” Applicant respectfully submits that it is inappropriate for the Examiner to take official notice that Claim 22 is obvious, since official notice may only be taken of facts, and may not be used as a substitute for analysis. Further, Applicant respectfully traverses the Examiner’s assertion that a price table containing negative values is well-known, and requests that the Examiner cite a reference in support of his position, as required by MPEP section 2144.03.

Claims 6-16 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gottesman et al. (US 6,049,782) and Petroutsos (Mastering Visual Basic 5), further in view of Carter (US 5,878,400). Claims 6-16 and 21 depend from Claim 1 and are therefore allowable for at least the reasons stated above for Claim 1.

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For the reasons stated above, Applicant respectfully submits that Claims 1-29 are in condition for allowance. Should the Examiner have any questions, he is invited to telephone the undersigned at 408-453-9200.

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Respectfully submitted,



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Attachment A

Version with markings to show changes made

IN THE SPECIFICATION

The paragraph starting on page 11, line 8 is amended as follows:

Assume the data processing system needs to **[finds] find** the Billing Category for CAA subordinate account “1111111111-01DDA”. Further assume that the product code is “35”; account is the CAA main account “2222222222-01DDA”; and the CAA main account belongs to BAC “0712301”. The sequence of Product Rule lookups is performed as illustrated in the following example.

The paragraph starting on page 13, line 12 is amended as follows:

When the Product Detail attribute multiple billing plans (Multiple BP's) has a value of “N”, the product does not use multiple Billing Plans and the Product Rule lookup starts at step 6.

The paragraph starting on page 20, line 23 is amended as follows:

In the first example, assume the data processing system needs to **[finds] find** whether there is an Alternate Account for “1111111777-01DDA”. Further assume that BSC1/2/3/4 Billable Service Code “ABC050” which belongs to product “05”, is being used. Then, the Product Rules lookup stops at step 2 after finding an Alternate Account for the BCS1/2/3/4 Billable Service Code.

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The paragraph starting on page 28, line 2 is amended as follows:

“?” is Subscription Volume. Usually, the Subscription Volume number is “1” and is used in the [price \* volume] calculation to determine revenue. For billing, Subscription Volume can be suppressed on the BILLFEED output if the BSC1/2/3/4 Billable Service Code’s Suppress Feed Vol is “Y” on the Service Details screen. BILLFEED output is an output file produced by the data processing system which contains the complete details of what customers **[re] are** to be billed. The Service Details screen is a screen provided as part of the data processing system which users use to define attributes of each Service code, including the BSC1/2/3/4 Billable Service Codes.

The paragraph starting on page 29, line 29 is amended as follows:

**[On-Liner] One-Liner** for Alternate Acnt is a display only. Alternate Acnt One-Liner displays selected attributes of the Alternate Account record and is used to provide more information about the applicable Alternate Account. The details are derived based on the value of Alternate Acnt. Therefore, users cannot change this item.